

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SA CV 16-0794 CAS (JCG)	Date	January 25, 2018
Title	<i>Robert S. Kahn v. City of Orange, et al.</i>		

Present: The Honorable **Jay C. Gandhi, United States Magistrate Judge**

Kristee Hopkins

None Appearing

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendants:

None Appearing

None Appearing

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY ACTION SHOULD NOT BE DISMISSED

The Court also notes that on July 17, 2017, Defendants served their Motion for Summary Judgment ("Motion") on Plaintiff. [Dkt. No. 12-7 at 2.] As of today's date, Plaintiff has not filed an opposition or a notice of non-opposition to the Motion. However, in the interests of justice, the Court extends Plaintiff's deadline to file an opposition or notice of non-opposition to the Motions **on or before February 9, 2018. Plaintiff is cautioned that his failure to timely oppose the Motions may be deemed consent to the granting of the Motions.**

The Court also notes that on September 21, 2017, a "Scheduling Notice," which was previously mailed to Plaintiff's address of record, was returned as undeliverable. [See Dkt. Nos. 14-15]. As of today's date, Plaintiff has not filed a Notice of Change of Address.

Pursuant to Local Rule 41-6, an action may be dismissed for Plaintiff's failure to notify the Court of his change of address. *See* C.D. Cal. L.R. 41-6; *see also Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988) ("A party, not the district court, bears the burden of keeping the court apprised of any changes in his mailing address.").

Accordingly, within **fifteen (15) days** of the date of this Order, Plaintiff is **ORDERED TO SHOW CAUSE**, in writing, why this action should not be dismissed for failure to prosecute. If Plaintiff files a Notice of Change of Address, or opposition or notice of non-opposition to the Motion on or before **February 9, 2018**, he need not separately respond to this Order to Show Cause. Plaintiff is cautioned that his failure to timely file a response will be deemed by the Court as consent to the dismissal of this action without prejudice.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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cc: Parties of Record

Initials of Clerk 00 : 00
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